

**RULES
OF
DEPARTMENT OF COMMERCE AND INSURANCE
DIVISION OF REGULATORY BOARDS
TENNESSEE STATE BOARD OF ACCOUNTANCY**

**CHAPTER 0020-5
CONTINUING EDUCATION**

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0020-5-.01 DEFINITIONS.

- (1) For the purpose of this Chapter, unless the context otherwise requires:
 - (a) Continuing professional education (CPE) hours and CPE credits shall be considered synonymous;
 - (b) “License holder” means a certified public accountant or public accountant who holds a license as defined in Rule 0020-1-.01(i).

Authority: T.C.A. §§62-1-105(e)(3); 62-1-107; 62-1-108(a)(1)(C)(i); 62-1-109(c); 62-1-111 and Chapter No. 443 of the Public Acts of 1989, Section 15. **Administrative History:** Original rule filed September 8, 1981; effective October 23, 1981. Amendment filed June 30, 1988; effective August 14, 1988. Amendment filed August 5, 1991; effective September 19, 1991. Amendment filed November 15, 1991; effective December 30, 1991. Amendment filed April 20, 1994; effective July 4, 1994. Amendment filed May 11, 1995; effective July 24, 1995. Repeal and new rule filed June 10, 1999; effective August 24, 1999.

0020-5-.02 PURPOSE.

- (1) The Tennessee Accountancy Act of 1998 mandates completion of certain continuing education requirements as a prerequisite for renewal of licenses issued by the Board. The purposes of this chapter are to prescribe the basic continuing education requirements for present and future license holders; to establish standards by which continuing education programs will be evaluated for awarding of credit; and to assure compliance with the Act by requiring periodic reporting of educational achievements.

Authority: T.C.A. §§62-1-105(e)(3); 62-1-107; 62-1-108(a); 62-1-109(a)(3); 62-1-111(a)(10) and Chapter No. 443 of the Public Acts of 1989, Section 10. **Administrative History:** Original rule filed September 8, 1981; effective October 23, 1981. Amendment filed June 30, 1988; effective August 14, 1988. Amendment filed August 5, 1991; effective September 19, 1991. Amendment filed May 11, 1995; effective July 24, 1995. Repeal and new rule filed June 10, 1999; effective August 24, 1999.

0020-5-.03 BASIC REQUIREMENTS.

- (1) A license holder seeking regular biennial renewal shall, as a prerequisite for such renewal certify that he/she has completed at least eighty (80) hours of qualified continuing professional education during the immediately preceding two (2)-year period, with no less than twenty (20) hours of the required eighty (80) hours to have been completed in each year of the period, and further provided that:

(Rule 0020-5-.03, continued)

- (a) All license holders shall complete at least forty (40) hours of the required eighty (80) hours in the subject areas of accounting, accounting ethics, attest, taxation, computer science or management advisory services;
 - (b) License holders engaged in the attest function, shall biennially complete at least twenty (20) hours in the subject areas of attest and accounting theory and practice in fulfilling the above requirements;
 - (c) License holders engaged to testify in a Tennessee court(s) as expert witnesses in the areas of accounting, attest, management advisory services, tax or computer science shall have completed, within the current or most recent renewal period, at least twenty (20) hours in the subject area(s) (as noted in this paragraph) concerning such expert testimony; and
 - (d) Up to forty (40) CPE hours taken in excess of the eighty (80) hour requirement for each two year period may be applied to the requirement of the next succeeding two year renewal cycle.
- (2) A license holder seeking to renew an initial certificate issued less than two (2) years but more than one (1) year prior to expiration must provide evidence of having completed at least forty (40) hours of such continuing education, of which twenty (20) hours shall be in the subject areas of accounting, attest, tax, computer science or management advisory services.
- (3) Upon application supported by such evidence as the Board may require, those licensees who do not perform or offer to perform for the public one (1) or more kinds of services involving the use of accounting or auditing skills, including the issuance of reports on financial statements or one or more kinds of management advisory, financial advisory or consulting services, or the preparation of tax returns or the furnishing of advice on tax matters, may be exempted from any continuing professional education requirements provided that:
- (a) Licensees granted such an exemption must place the word “inactive” adjacent to their CPA title or PA title when used in any written form with the exception of their certificate or registration;
 - (b) Those individuals who are inactive and have reached fifty-five (55) years of age may substitute the word “retired” for the word “inactive”;
 - (c) Individuals exempt under this paragraph must complete eighty (80) hours of CPE in the areas of accounting, accounting ethics, attest, taxation, computer science or management advisory services, during the twenty-four (24) month period preceding the date of their request for the reactivation of their license.
- (4) Upon application supported by such evidence as the Board may require, licensees age 70 and over, disabled for more than six (6) months or in active military service may be exempted from payment of a license renewal fee and/or CPE requirements so long as they do not practice public accountancy or offer accounting services to the public.
- (5) An applicant for renewal whose license has lapsed as set forth under Rule 0020-1-.08(9) shall complete no less than eighty (80) hours of CPE in the areas of accounting, accounting ethics, attest, taxation, computer science or management advisory services, during the six (6) month period preceding the date of reapplication.

(Rule 0020-5-.03, continued)

- (6) A non-resident licensee seeking renewal of a license in this state shall meet the CPE requirement of this rule by meeting the CPE requirements for renewal of a license in the state in which the licensee's principal office is located.
 - (a) Non-resident applicants for renewal shall demonstrate compliance with the CPE renewal requirements of the state in which the licensee's principal office is located by signing a statement certifying to that effect on the renewal application of this state.
 - (b) If the state in which a non-resident licensee's principal office is located has no CPE requirements for renewal of a license, the non-resident licensee must comply with all CPE requirements for renewal of a license in this state.

Authority: T.C.A. §§62-1-105(e)(3); 62-1-107; 62-1-111(a)(12) and Chapter No. 443 of the Public Acts of 1989, Section 10. **Administrative History:** Original rule filed August 5, 1991; effective September 19, 1991. Repeal and new rule filed June 10, 1999; effective August 24, 1999.

0020-5-.04 QUALIFYING PROGRAMS.

- (1) In order to qualify for credit toward satisfaction of the requirements of rule 0020-5-.03, a continuing education program must:
 - (a) Be a program of learning which contributes directly to the professional competence of the licensee; and
 - (b) Meet the Statements on Standards for Continuing Professional Education Programs jointly approved by NASBA and AICPA.
- (2) Programs requiring attendance may be considered for credit if:
 - (a) An outline is prepared and preserved;
 - (b) The program is at least one (1) credit hour [one (1) credit hour = fifty (50) minute period];
 - (c) The program is conducted by a qualified instructor, discussion leader, or lecturer; and
 - (d) A record of registration or attendance is maintained.
- (3) Subject to compliance with paragraphs 1 and 2 of this rule, the following are deemed to be qualifying programs:
 - (a) Professional development programs of the AICPA, and state accounting societies and their chapters;
 - (b) Technical sessions at meetings of the AICPA, NASBA, and state accounting societies and their chapters;
 - (c) University or college courses provided that:
 - 1. For credit courses, each semester hour credit shall equal fifteen (15) continuing education credit hours, and each quarter hour credit shall equal (10) continuing education credit hours;
 - 2. For non-credit short courses, continuing education credit shall equal actual time in class;

(Rule 0020-5-.04, continued)

- (d) Organized in-firm or in-house (includes any company that gives training for their employees and others) educational programs presented for employees and others without charge; and
 - (e) Programs of other organizations (accounting, industrial, professional, etc.) recognized by the Board.
- (4) Formal correspondence or other individual study programs, including those administered via computer, which require registration and provide evidence of satisfactory completion may qualify for continuing education credit in an amount to be determined by the Board. Such programs taken after January 1, 1999, excluding those offered by the AICPA and state CPA societies, must be approved by the Board or its designee.
 - (5) Continuing education credit will be allowed for service as an instructor, discussion leader or speaker at any program for which participants are eligible to receive continuing education credit. Credit for such service will be awarded on the first presentation only, unless a program has been substantially revised. The amount of credit awarded shall not exceed three times the number of class hours; provided however, credit hours awarded under this paragraph shall not exceed fifty percent (50%) of the total number of credit hours required by this chapter within any two-year period.
 - (6) Continuing education credit may be allowed for writing articles and books, provided that their preparation contributes to the professional competence of the license holder. Credit for such preparation may be awarded on a self-declaration basis of up to fifty percent (50%) of the two (2) year continuing education requirement. Additional credit may be awarded in exceptional circumstances, upon the written request of the license holder, accompanied by a copy of the article(s) or book(s) and a statement of justification.
 - (7) Continuing education credit may be allowed for the reading of professional journals and the taking of an examination related thereto. Credit hours obtained under this paragraph are limited to twenty percent (20%) of the total number of credit hours required by this chapter within any two (2)-year period and may not be used to meet the requirements of subparagraphs (1)(a), (b) and (c) of Rule 0020-5-.03.
 - (8) CPE credit may be allowed for the successful completion of exams for Certified Management Accountant (CMA), Certified Information Systems Auditor (CISA), Certified Financial Planner (CFP) as well as other similar exams approved by the Board. Credit will be awarded at a rate of five (5) times the length of each exam taken and limited to fifty percent (50%) of the total CPE required under Rule 0020-5-.03.
 - (9) In order to insure credit, any program of continuing education not specifically covered by this rule must be submitted to the Board for evaluation before attendance and/or completion.
 - (10) The Board specifically reserves the right to approve or disapprove credit for all continuing education claimed under this rule.

Authority: T.C.A. §§62-1-105(e)(3) and 62-1-107. **Administrative History:** Original rule filed June 10, 1999; effective August 24, 1999.

0020-5-.05 SPONSORS.

- (1) Prior to offering continuing education program(s), a sponsor who is not exempt under this rule must register as follows:

(Rule 0020-5-.05, continued)

- (a) Those sponsors offering program(s) which total more than sixteen (16) hours per year or offering program(s) more than five (5) times per year must register with the NASBA National Registry of CPE Sponsors.
- (b) Those sponsors offering program(s) which total sixteen (16) hours or less per year or offering program(s) five (5) times or less per year must:
 - 1. Register with the NASBA National Registry of CPE Sponsors, or
 - 2. Register with the NASBA Tennessee Roster of CPE Sponsors.
- (2) The sponsor of each continuing education program registered with the NASBA National Registry or Tennessee Roster of CPE Sponsors shall comply with all requirements set forth by NASBA in order to maintain such registration.
- (3) The sponsor of any continuing education program approved or exempted from registration by the Board must advise attendees of such approval or exemption, as well as provide the sponsor number, subject code and number of continuing education hours allowable.
- (4) Approval of any continuing education program may be withdrawn by the Board if the sponsor of such program fails to comply with the provisions of this chapter.
- (5) The following are exempt from registering with either the NASBA National Registry or Tennessee Roster of CPE Sponsors:
 - (a) Professional accounting organizations [e.g. AICPA, Tennessee Society of Certified Public Accountants (TSCPA), Tennessee Association of Public Accountants (TAPA), Institute of Management Accountants (IMA), or other similar organizations approved by the Board];
 - (b) Universities or colleges recognized under Rule 0020-2-.01;
 - (c) Firms or entities offering organized in-firm or in-house educational programs for their employees and others without charge;
 - (d) Governmental entities.
- (6) Those entities or organizations, exempt from registration under paragraph (5) of this rule shall keep detailed records of the following for a period of five (5) years after the date of the presentation of the program:
 - (a) The date and location of the program presentation;
 - (b) The name of each instructor or discussion leader;
 - (c) A list of license holders attending each program presentation;
 - (d) A written outline of the program presentation; and
 - (e) The number of continuing education hours allowable.

Authority: T.C.A. §§62-1-105(e)(3) and 62-1-107. **Administrative History:** Original rule filed June 10, 1999; effective August 24, 1999.

0020-5-.06 CONTROL AND REPORTING SYSTEM.

- (1) Each license holder shall biennially, when making application for license renewal, submit on the prescribed form a signed statement setting forth the number of continuing education hours in which he/she has participated during the reporting period. Such license holder shall retain documentation supporting such statement for at least five (5) years subsequent to the date of submission.
- (2) The Board will verify information submitted by license holders under this rule on a random basis.
- (3) If any continuing education hours claimed in a statement submitted by a license holder pursuant to paragraph (1) of this rule are disapproved, the Board shall notify such license holder of the reason for disapproval. The Board may allow a specified period of time for correction of the deficiencies noted.

Authority: T.C.A. §§62-1-105(e)(3) and 62-1-107. **Administrative History:** Original rule filed June 10, 1999; effective August 24, 1999.

0020-5-.07 EXTENSION OF TIME.

- (1) The Board may, upon written request, extend the time within which license holders must comply with the requirements of this chapter for reasons of poor health, military service, or other reasonable and just causes.
- (2) Any license holder who requests or is granted an extension of time under this rule shall remain subject to rule 0020-5-.06, and shall note such extension on any report required thereunder.
- (3) Requests for extension under this rule will be automatically denied if filed later than the December 31 biennial renewal deadline required by these rules.

Authority: T.C.A. §§62-1-105(e)(3) and 62-1-107. **Administrative History:** Original rule filed June 10, 1999; effective August 24, 1999.

0020-5-.08 FAILURE TO MEET CPE REQUIREMENTS.

- (1) A penalty of eight (8) additional CPE hours will be assessed against license holders for each year they fail to meet the twenty (20) hour one (1) year minimum required by Rule 0020-5-.03 unless an extension of time under 0020-5-.07 is granted by the Board.
- (2) A penalty of eight (8) additional CPE hours will be assessed against those license holders who fail to meet the eighty (80) hour two (2) year minimum required by Rule 0020-5-.03 unless an extension of time under 0020-5-.07 is granted by the Board.
- (3) Any penalty assessed under this rule shall be completed within one hundred eighty (180) days of the end of notification of the deficiency.

Authority: T.C.A. §§62-1-105(e)(3) and 62-1-107. **Administrative History:** Original rule filed June 10, 1999; effective August 24, 1999.